

TITLE 5. DEPARTMENT OF COMMUNITY AFFAIRS
CHAPTER 23. UNIFORM CONSTRUCTION CODE
SUBCHAPTER 4B. MANUFACTURED HOMES AND MANUFACTURED HOME ADD-ON UNITS

N.J.A.C. 5:23-4B

§ 5:23-4B.1 Scope

(a) This subchapter shall govern the design, manufacture and installation of:

1. Manufactured homes; and
2. Manufactured home add-on units that are not subject to the Federal Manufactured Home Construction and Safety Standards.

(b) Manufactured homes and manufactured home add-ons may be sold for, delivered to, or installed on building sites located in any jurisdiction of this State, if they have been approved and certified pursuant to this subchapter.

§ 5:23-4B.2 Applicability

Approval of evaluation and inspection agencies, documents submission, review and approval, construction control, and inspection and certification of manufactured home add-on units shall, additionally be governed by the applicable requirements of the Federal Manufactured Home Construction and Safety Standards.

§ 5:23-4B.3 Standards

(a) Manufactured (mobile) homes, as defined in N.J.A.C. 5:23-1.4, shall:

1. Comply with all the applicable provisions of the Federal Manufactured Home Construction and Safety Standards; and
2. Be approved or certified in accordance with the said Federal standards.

(b) Manufactured home add-on units that are not subject to the Federal Manufactured Home Construction and Safety Standards shall:

1. Comply with the applicable provisions of N.J.A.C. 5:23; and
2. Be certified pursuant to N.J.A.C. 5:23-4B.7.

(c) Alterations to manufactured homes shall comply with the subcodes of the Uniform Construction Code.

§ 5:23-4B.4 Administration and enforcement

(a) The Department shall administer and enforce all provisions of this subchapter. The Department shall have responsibility for evaluating and approving building systems and for inspecting and certifying manufactured home add-on units for compliance with this subchapter. The Department shall allow the use in the State of New Jersey of

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manufactured home add-on units labeled and certified by approved evaluation and inspection agencies in accordance with this subchapter.

(b) The Department shall approve building systems for manufactured home add-on units and shall approve compliance assurance programs that comply with the requirements of this subchapter. The Department may delegate to approved evaluation agencies all or part of the evaluation of building systems and compliance assurance programs.

§ 5:23-4B.5 Acceptability

(a) Manufactured (mobile) homes built in accordance with the Federal Manufactured Home Construction and Safety Standards and bearing a Federal label of certification shall be accepted as conforming to the requirements of this chapter for purposes of local construction inspection approval.

(b) Manufactured (mobile) home add-on units built in accordance with the New Jersey Uniform Construction Code and bearing a manufactured home add-on label of certification shall be accepted as conforming to the requirements of this chapter for the purpose of local construction inspection approval.

§ 5:23-4B.6 Approvals of building systems and compliance assurance program

(a) Approved evaluation agencies shall be permitted to approve building systems and compliance assurance program for manufactured home add-on units.

(b) Building systems shall be evaluated and approved in accordance with this subchapter.

(c) Compliance assurance programs shall be evaluated and approved in accordance with this subchapter.

§ 5:23-4B.7 Certification

(a) Manufactured home add-on units accepted by the Department or by an approved inspection agency as having been manufactured according to an approved building system and an approved compliance assurance program shall be certified by the Department as complying with the requirements of this chapter.

(b) The Department may delegate to evaluation and inspection agencies all or part of the inspection or the issuance or attachment of labels to manufactured home add-on units.

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(c) A Department label of certification for each manufactured home add-on unit that is certified pursuant to this subchapter shall be permanently attached thereto in an accessible and visible location. The location of the label shall be indicated on the approved building system documentation.

1. An approved label for a manufactured home add-on unit shall bear the following information:

- i. State of New Jersey--Department of Community Affairs--approved mobile home add-on unit--N.J.A.C. 5:23; and
- ii. A label serial number.

§ 5:23-4B.8 Labels; fees

(a) An approved evaluation and inspection agency requesting the Department to issue labels of certification for manufactured home add-on units shall pay a fee of \$ 70.00 for each label.

(b) One manufactured home add-on unit label of certification shall be required for each manufactured home add-on unit.

§ 5:23-4B.9 Requirements for submission of compliance assurance documents

(a) The manufacturer shall not start production of any manufactured home add-on unit unless the building systems documents, compliance assurance program and on-site installation instructions have been approved in accordance with this subchapter.

(b) The building systems documents consist of plans, specifications, calculations, test results and/or other documents that describe in detail the product and manufacturing processes employed to produce manufactured home add-on units. The documents need only show details for equipment provided by the manufacturer. The documents shall be comprehensively indexed and shall meet the requirements of this subchapter.

(c) The compliance assurance program is a system employed by the manufacturer to assure conformance with the approved building system documents. The compliance assurance manual shall be comprehensively indexed and shall meet the requirements of this subchapter.

(d) The on-site installation instructions shall consist of specific installation procedures provided by the manufacturer that specify the materials and procedures required to install the unit in conformance with the code and applicable standards. Specific installation procedures provided by the manufacturer shall include:

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1. Details for connection of manufactured home add-on units to the foundation;
2. Structural connections as required;
3. Connections required to complete the mechanical and/or utility systems; and
4. Any special conditions affecting other structural elements.

§ 5:23-4B.10 Appeals

(a) Any person, firm or corporation acting on behalf of itself or a class adversely affected by any notice, order, ruling, decision or action of any evaluation and inspection agency or of the Commissioner may file an appeal.

(b) An application for a hearing must be filed within 20 business days of receipt by the appellant of the notice, order, ruling, decision or action complained of.

(c) The notice of appeal may be filed either in person or by mail and shall be addressed to the Hearing Coordinator, Division of Codes and Standards, PO Box 802, Trenton, New Jersey 08625-0802.

(d) The application shall be in writing and shall set forth the rule under which the appeal is being brought and the facts and circumstances of the case.

(e) The application shall include, where appropriate, the following information and documentation:

1. A copy of the notice, order, ruling, decision or action that is the subject of the appeal;
2. A copy of the building system, compliance assurance program or other document involved;
3. A description of the manufactured home and manufactured home add-on unit affected;
4. A statement of the relief sought by the appellant; and
5. In the event of an appeal from an action or decision of an evaluation and inspection agency, the application shall contain a copy or, if that is unavailable, a written statement, of the prior decision or other action of the agency being appealed.

§ 5:23-4B.11 Conduct of hearings

Hearings in contested cases shall be conducted by the Office of Administrative Law pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

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